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 and MAGNOLIA HI-FI, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
 ANTITRUST LITIGATION

Mater Case No.: 3:07-cv-05944-SC
 MDL No. 1917
 Individual Case Nos. 3:11-cv-05513-SC;
 3:11-cv-06396-SC

This document relates to:

Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,
No. 11-cv-05513-SC

Target Corp. v. Chunghwa, et al.,
No. 11-cv-05514-SC

Tech Data v. Hitachi, Ltd., et al.
No. 13-cv-00157-SC

**DECLARATION OF VINCENT S. LOH
 IN SUPPORT OF PLAINTIFFS BEST
 BUY, TECH DATA, AND TARGET'S
 ADMINISTRATIVE MOTION TO FILE
 UNDER SEAL PURSUANT TO CIVIL
 LOCAL RULES 7-11 AND 79-5**

Before the Honorable Samuel Conti

1 I, Vincent S. Loh, declare that:

2 1. I am a member in good standing of the State Bar of California and am admitted to
3 practice before this Court. Except for those matters stated on information and belief, which I
4 believe to be true, I have personal knowledge of the facts recited in this declaration and, if called
5 upon to do so, I would competently testify under oath thereto.

6 2. I am an attorney in the law firm of Robins, Kaplan, Miller & Ciresi L.L.P., counsel
7 of record for the Plaintiffs, Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy Enterprise
8 Services, Inc.; Best Buy Stores, L.P.; Bestbuy.Com, L.L.C.; and Magnolia Hi-Fi, LLC
9 (collectively "Plaintiffs" or "Best Buy"), in the above-captioned lawsuit.

10 3. On January 17, 2014, Plaintiffs Best Buy, along with Plaintiffs Target Corp. and
11 Plaintiffs Tech Data Corporation and Tech Data Product Management, Inc. (collectively,
12 "Plaintiffs") filed a Consolidated Opposition to Defendant Beijing Matsushita Color CRT Co.,
13 Ltd.'s ("BMCC") Motion to Dismiss Certain Direct Action Purchaser Complaints (Consolidated
14 Opposition). Filed contemporaneously with the Consolidated Opposition was the Declaration of
15 Vincent S. Loh ("Loh Declaration"), attaching evidence in support of the Consolidated
16 Opposition.

17 4. Portions of Plaintiffs' Consolidated Opposition, and the entirety of exhibits A, B,
18 D-Z, BB, and CC to the Loh Declaration ("Designated Exhibits"), contain excerpts from and/or
19 statements derived from documents and testimony which have been designated "confidential" or
20 "highly confidential" pursuant to the Stipulated Protective Order governing the CRT Antitrust
21 MDL, which was entered by Judge Samuel Conti on June 18, 2008 (Document No. 306). The
22 confidential/highly confidential designations were made by certain defendants in the CRT
23 Antitrust MDL. To qualify as confidential or highly confidential under the Stipulated Protective
24 Order, the information must contain trade secrets or other confidential research, development or
25 commercial information or private or competitively sensitive information. (§1)

26 5. The Stipulated Protective Order requires that a party may not file any confidential
27 material in the public record (§10). The Stipulated Protective Order further provides that any
28

1 party seeking to file any confidential material under seal must comply with Civil Local Rule 79-5
2 (¶¶1, 10.)

3 6. Portions of the Consolidated Opposition to BMCC's Motion to Dismiss and the
4 entirety of the Designated Exhibits contain such confidential material and, pursuant to Local Rule
5 79-5(e), Plaintiffs seek to submit the above material under seal in good faith in order to comply
6 with the Protective Order in the CRT Antitrust MDL and the applicable Local Rules.

7 Specifically:

8 7. Pages 2, 4-10, 15, and 16 of the Consolidated Opposition contain information
9 refers, contains, and/or reflects excerpts of documents and testimony that have been designated as
10 "confidential" or "highly confidential" pursuant to the Stipulated Protective Order.

11 8. Exhibit A to the Loh Declaration is a true and correct copy of BMCC's
12 Supplemental Responses and Objections to Direct Purchaser Plaintiffs' First Set of
13 Interrogatories, by BMCC as Confidential.

14 9. Exhibit B to the Loh Declaration is a true and correct copy of excerpts from the
15 deposition of Ayumu Kinoshita, taken on February 5 and 6, 2013 in San Francisco, California,
16 designated by counsel for Panasonic as Highly Confidential.

17 10. Exhibit D to the Loh Declaration is a true and correct copy of a document
18 produced by Matsushita Toshiba Picture Display Co., Ltd ("MTPD"), bates labeled MTPD-
19 0263200, designated by MT Picture Display Co., Ltd., f/k/a Matsushita Toshiba Picture Display
20 Co., Ltd. ("MTPD"), as Confidential.

21 11. Exhibit E to the Loh Declaration is a true and correct copy of Samsung SDI
22 Defendants' Supplemental Responses to Direct Purchaser Plaintiffs' First Set of Interrogatories,
23 Nos. 4 and 5, designated by Samsung SDI as Confidential.

24 12. Exhibit F to the Loh Declaration is a true and correct copy of excerpts from the
25 deposition of Sheng-Jen Yang, taken on February 26, 2013 in Taipei City, Taiwan, designated by
26 Counsel for Toshiba as Highly Confidential.

13. Exhibit G to the Loh Declaration is a true and correct copy of excerpts from the deposition of Jing Song Lu, taken on February 28, 2013 in Taipei City, Taiwan, designated by counsel for Toshiba as Highly Confidential.

14. Exhibit H to the Loh Declaration is a true and correct copy of deposition exhibit no. 1108e from the February 19, 2013 deposition of Chih Chun-Liu, bates labeled CHU00029191E to CHU0029194E, designated by Chunghwa Picture Tubes, Ltd. as Confidential.

15. Exhibit I to the Loh Declaration is a true and correct copy of deposition exhibit no. 1252e from the February 22, 2013 deposition of Sheng-Jen Yang, bates labeled CHU00029179E to CHU00029184E, designated by Chunghwa Picture Tubes, Ltd. as Confidential.

16. Exhibit J to the Loh Declaration is a true and correct copy of deposition exhibit no. 1231e from the February 21, 2013 deposition of Chih Chun-Liu, bates labeled CHU00028441.01E to CHU00028446E, designated by Chunghwa Picture Tubes, Ltd. as Confidential.

17. Exhibit K to the Loh Declaration is a true and correct copy of excerpts from the deposition of Chih Chun-Liu, taken on February 21, 2013 in Taipei City, Taiwan, designated by Chunghwa Picture Tubes, Ltd. as Confidential.

18. Exhibit L to the Loh Declaration is a true and correct copy of deposition exhibit no. 253 from the July 13, 2012 deposition of Takashi Nakano, bates labeled MTPD-0201555 to MTPD-0201556, designated by MTPD as Confidential.

19. Exhibit M to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000296247, designated by BMCC as Confidential.

20. Exhibit N to the Loh Declaration is a true and correct copy of deposition exhibit no. 1427e from the February 7, 2013 deposition of Hirokazu Nishiyama, bates labeled MTPD-0335675 to MTPD-0335678, designated by MTPD as Confidential.

21. Exhibit O to the Loh Declaration is a true and correct copy of document produced by BMCC, bates labeled BMCC-CRT000124448 to BMCC-CRT000124455, designated by BMCC as Confidential.

22. Exhibit P to the Loh Declaration is a true and correct copy of deposition exhibit no. 804 from the February 5, 2013 deposition of Ayumu Kinoshita, bates labeled MTPD-0223553 to MTPD-0223554, designated by MTPD as Confidential.

23. Exhibit Q to the Loh Declaration is a true and correct copy of deposition exhibit no. 809 from the February 6, 2013 deposition of Ayumu Kinoshita, bates labeled MTPD-0141811 to MTPD-0141812, designated by MTPD as Confidential.

24. Exhibit R to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000001186, designated by BMCC as Confidential.

25. Exhibit S to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000073042 to BMCC-CRT000073044, designated by BMCC as Confidential.

26. Exhibit T to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000115766 to BMCC-CRT000115767,

27. Exhibit U to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000120243, designated by BMCC as Confidential.

28. Exhibit V to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000120244, designated by BMCC as Confidential.

29. Exhibit W to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000120246 to BMCC-CRT000120247, designated by BMCC as Confidential.

30. Exhibit X to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000120248 to BMCC-CRT000120256, designated by BMCC as Confidential.

31. Exhibit Y to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000125601 to BMCC-CRT000125603, designated by BMCC as Confidential.

32. Exhibit Z to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates labeled BMCC-CRT000087322 to BMCC-CRT000087329, designated by BMCC as Confidential.

33. Exhibit BB to the Loh Declaration is a true and correct copy of a document produced by BMCC, bates label range BMCC-CRT000123772 to BMCC-CRT000123777, designated by BMCC as Confidential.

34. Exhibit CC to the Loh Declaration is a true and correct copy of excerpts from the deposition of Jae In Lee, taken on July 25, 2013 in San Francisco California, designated by counsel for Samsung SDI as Highly Confidential.

35. Therefore, Plaintiffs respectfully request an order sealing portions of the Consolidated Opposition and the entirety of the Designated Exhibits in this case.

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct.

Executed this 17th day of January, 2014, at Los Angeles, California.

/s/ Vincent S. Loh
Vincent S. Loh